

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: August 16, 2006

Division: Growth Management

Bulk Item: Yes X No

Department: Plannning and Environmental Res.

Staff Contact Person: Jerry Sanders, Esq.
Ty Symroski

AGENDA ITEM WORDING: Discussion, update and guidance to Staff to proceed with preparing an agreement to redevelop *Seahorse Trailer Park* in Big Pine and *Rowell's Marina* in Key Largo.

ITEM BACKGROUND:

Boca Developers, LLC is the owner of *Rowell's Marina* in Key Largo and recently purchased the *Seahorse Trailer Park* on Big Pine Key. In a proposed "380 Agreement" they propose to redevelop *Seahorse Trailer Park* as 100 multi-family affordable housing and donate them to the County in exchange for the transfer of 130 market rate development rights to the *Rowell's Marina* property, plus a bonus of 5 market rate ROGO allocations.

PREVIOUS RELEVANT BOCC ACTION: On April 19, 2006, the BOCC heard this item; no official action was taken and it was scheduled to be heard at the May 16, 2006, June 21, 2006 and July 19, 2006 Board meetings. At the May 16, 2006 BOCC meeting in Key Largo the Planning Department Staff recommended that this item be continued to the June 21, 2006 meeting in Marathon at which Boca Developers representatives and interested member of the public spoke, but no official action was taken. At the July 19 BOCC meeting Boca Developer representatives asked that the item be continued to the August 16, 2006 BOCC meeting

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: Grant authority for the County Administrator, Growth Management Staff and the County Attorney to continue to negotiate with *Boca Developers, LLC* and present a proposed Agreement to the Development Review Committee and the Planning Commission for recommendation to the Board of County Commissioners.

TOTAL COST: TBD

BUDGETED: Yes No X

COST TO COUNTY: TBD

SOURCE OF FUNDS: TBD

REVENUE PRODUCING: Yes No X **AMOUNT PER MONTH** **Year**

APPROVED BY: County Atty OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

TJ/ 8/1/2-6
Ty Symroski

DOCUMENTATION: Included

Not Required X

DISPOSITION:

AGENDA ITEM #

MEMORANDUM

OWEN TREPANIER & ASSOCIATES, INC

LAND USE & DEVELOPMENT
CONSULTANTS
305-293-8983

Date: 8/8/2006
To: Mr. Tom Willi, County Administrator
Mr. Ty Symroski, Growth Management Director
From: Rebecca Jetton, Sr. Associate
Re: Sea Horse – Rowell's 380 Agreement

Proposal:

Coordinate a 380 Agreement between the Monroe County Commission, Department of Community Affairs, and Boca Developers to enable the transfer of ROGO-exempt units from the Sea Horse Mobile Home Park on Big Pine Key to Rowell's Marina at Black water Sound in Key Largo (mm 104.5).

Public Benefit:

- Dedication of 3.2 acres of land (Sea Horse Trailer Park) for affordable housing in perpetuity.
- Retention or reconstruction of Sea Horse affordable units at cost.
- Restoration of the Sands Key Deer Migration Corridor.
- Construction, at cost, of advanced wastewater treatment at the Sea Horse.
- Construction of current storm water management requirements at Sea Horse.
- Traffic reduction at area with Service Level D (Sea Horse).
- New public pump out facilities at Rowell's.
- New public fueling facilities at Rowell's.
- Approximately 110 new waterfront homes created at Rowell's and added to the tax rolls.
- Advanced wastewater treatment facility at Rowell's.
- Construction of current storm water management requirements at Rowell's.
- Relocated units to area with Service Level A (Rowell's).
- Construction of the Murray Nelson Center at cost to Monroe County (estimated \$150 per square foot as compared to bids received at \$375 per square foot – totaling more than 8 million dollars in savings).

Project Overview:

Sea Horse – Big Pine

This project proposes to reduce development impacts on the Sea Horse Trailer Park site on Big Pine Key, by reducing the current area of development, reducing density, transference of development rights, creation of new habitat, creation of open space, creation of set back buffers, construction and maintaining affordable units, creation/restoration of the Key Deer Sands migration corridor. And assistance to the county in constructing a county facility at cost in Key Largo.

Currently there are 135 trailer homes at Sea Horse Mobile home Park. This represents more than 200% of the permitted density at this location. Boca Developers will donate the underlying land at a cost of 7 Million to the Monroe County land Authority other appropriate land trust to insure long term affordability. The donation of land valued at 7 Million is equivalent to setting aside 40 units or 30 percent of the units as affordable housing as required by Monroe County Land Development Regulations. The market rate value for a "Transfer of ROGO-exemption Right" is approximately 100 to 150,000 per exemption.

The County has the option of either allowing the mobile home units to remain on the site as affordable units operated by a land trust, or allow Boca Developer's or other entity to redevelop the site by upgrading the housing and providing rental or "for sale" housing for the workforce. The units left on site would be allocated from the affordable housing pool by the county and would be deed restricted as affordable. These units will be developed on the south portion of the property in a manner conforming to the character of the community. The northern portion of the property will be restored as hardwood hammock habitat. The entire property will be designed to accommodate the Sands migration corridor, to allow the free and safe travel of deer across the parcels.

Sender Site - Sea Horse Trailer Park on Big Pine Key

Site Data	Existing	Proposed	Comments
Zoning	IS & URM	IS & URM	No Change
FLUM	RM & RH	RM & RH	No Change
Site Size	3.93 ac.	3.93 ac.	No Change
Area of Development	3.93 ac.	2.21 ac.	Impact Reduction
Density	135 units	75 units	Impact Reduction
Affordability	No Restriction	Deed Restricted Land Trust	Perpetual Affordability
Set Backs	None	Maximum	Complies w/ Set Backs
Open Space	None	1.72 ac (43%)	Exceeds Open Space
Recreation Area	None	.86 ac.	Creates Recreation Area
Key Deer Habitat	None	.86 ac.	Creates Habitat
Key Deer Corridor	None	Create Sands Corridor	Creates Migration Corridor

Rowell's Marina – Key Largo

The project proposes to develop the Rowell's Marina site in a sensitive manner reflective of the community. It will strive to preserve open water views, and boat slip accessibility. The number of units located on site will conform to the character of the site and the density limitations of the Land Development Regulations.

Appropriate on site amenities will be provided and if property is available, a Key Largo affordable housing component will be included as part of the proposal.

Receiver Site - Rowell's Marina

Site Data	Existing	Proposed	Comments
Zoning	Suburban Commercial	Urban Residential	Change Zoning
FLUM	Mixed Use	Residential High	Change FLUM
Site Size	8.1 acres	No Change	No Change
Area of Development	100% of Site	80% of site -115 units	New public pump out and fueling facility
Density	Marina and boat repair	Residential w/ accessory marina	Will purchase transferable development rights from wetlands and transfer to site
Affordability	None	Dedicate Sea Horse as affordable in perpetuity	--
Set Backs	None	Compliance with setbacks and buffer yards	Improvement
Open Space	None	20%	Improvement

Related Issues:

Moratorium:

The moratoria on mobile home park conversions expired in June 2006.

Affordable Housing:

Monroe County Ordinance 017-2006 requires an affordable housing set aside of thirty percent when redeveloping mobile home parks and RV parks (thirty percent of 135 equals 40.5 units). The project proposes to contribute land that is valued at 7.8 Million dollars to the County for affordable housing, wastewater and habitat restoration.

The project proposes to develop affordable housing and a wastewater treatment facility on the Sea Horse Site at cost. Additionally, the project proposes to reestablish the Sands migration route through this property at the developer's expense.

Transferable ROGO Exemptions:

Comprehensive plan policy 101.5.8 provides:

Monroe county may develop a program, called Transfer of ROGO Exemption (TRE), that would allow for the transfer off-site of dwelling units, hotel rooms, campground/recreational vehicle spaces and/or mobile homes to another site in the same ROGO sub-area, provided that they are lawfully existing and can be accounted for in the County's hurricane evacuation model. In addition, the receiver site shall be located within a Tier three area outside a designated Special Protection Area and for a receiver site on Big Pine Key and No Name Key; the sending site shall also be located on one of those two islands.

Section 9.5-124.3 provides for the transfer of hotel and recreational vehicle units, but does not address market rate units and does not provide for transfer across sub planning areas.

Development has been restricted to sub planning areas because of the nutrient reduction program. The Governor and Cabinet have indicated a willingness to end the nutrient reduction program as soon the Cabinet finds the County has made substantial progress in accomplishing work program goals. The challenge to the Goal 105 land development regulations has delayed this finding by the cabinet. Therefore a Chapter 380 agreement is needed to facilitate this private public partnership.